IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4323 OF 2005
IN
CRIMINAL APPEAL NO. 641 OF 2005

Usha Ganpat Chavan ..Applicant

versus

State of Maharashtra ..Respondents

Mr. M. V. Deshmukh for the Applicant.

Mrs. V. R. Bhosale, APP for the Respondents - State.

CORAM : D. G. DESHPANDE, &
V. K. TAHILRAMANI,JJ.

DATE : 8TH MARCH, 2006

P.C. :

1. The applicant is a lady who was convicted for committing a murder of her own six months child. Counsel for the applicant contended that during trial the applicant - accused was on bail. She has never misused the bail granted to her and there is no evidence at all. According to the prosecution, the accused killed her child because he was having permanent deformity. But the only evidence against the accused is that at her instance the body was

recovered from the well. According to the prosecution further it was the accused who went to the police station and lodged complaint. But whatever the accused stated in her complaint cannot be treated or taken against her. There is no other evidence against the accused, which the learned APP could point out.

2. Therefore, considering all the circumstances, the applicant - accused be released on her P.R. bond of Rs.7,500/- (Rupees Seven Thousand Five Hundred) with one solvent surety in the like amount. The accused will attend Baramati Police Station once in a month in the first week along with her one and half year old child. Police to verify whether the child is properly maintained or not. The accused - applicant to furnish a photograph of the child to the police Station.

3. Application disposed of accordingly.

(D.G. DESHPANDE, J.)

(V.K. TAHILRAMANI, J.)